

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Kimberly Michelle Ferguson,)	
)	
Plaintiff,)	
)	Civil Action No. 5:15-3667-RMG
vs.)	
)	
Carolyn W. Colvin, Acting Commissioner)	
of Social Security Administration,)	ORDER
)	
Defendant.)	
)	
_____)	

This matter comes before the Court on Plaintiff's motion for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Dkt. No. 30). Plaintiff seeks an award of \$2,794.20, representing 14.90 hours of attorney time in 2015 and 2016 at \$187.53 per hour. (Dkt. No. 30-4). The Commissioner has advised the Court she does not oppose Plaintiff's motion. (Dkt. No. 31).

The Court has reviewed the motion and memorandum of Plaintiff, as well as the supporting underlying documentation, and finds that the total fee request, hours expended, and hourly rates are reasonable and authorized under applicable law. *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002). Therefore, the Court hereby grants an attorney's fee award to Plaintiff in the amount of \$2,794.20.

The Commissioner correctly notes that any EAJA payment may be offset by any outstanding federal debt of the claimant. In the absence of a federal debt and a proper assignment by the claimant to Plaintiff's counsel, the Commissioner is directed make the check

payable to Plaintiff's counsel. If there is no federal debt and no assignment, the Commissioner is directed to make the check payable to Plaintiff and to send the check to Plaintiff's counsel.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

December 19 2016
Charleston, South Carolina